

REMARKS

This Amendment is in response to the non-final Office Action mailed September 14, 2004. Claims 1-20 were rejected in the present application. Claims 1 and 16 have been amended. No claims have been added or canceled. Applicants respectfully request a notice of allowance in view of the above amendments and the following remarks.

Claim rejections-35 U.S.C. § 103

Claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al. USPPub 20020059621 (hereinafter "Thomas") in view of Krebs USPN 5,557,320. Claims 1 and 16 have been amended. Applicants respectfully submit that Thomas in view of Krebs does not teach or suggest each and every feature of Applicants' claimed invention as recited in amended independent claims 1 and 16 and claim 20.

Claim 1

Applicant's claimed invention as recited in amended claim 1 is drawn to a media distribution device for selectively delivering media content to a media presentation device. The media distribution device comprises, among other features, (1) a local account manager operative to modify the identification of the portion of the media content for delivery to the media presentation device without modification to the media content sent from the media delivery service provider.

In contrast, Thomas teaches systems and methods for providing storage of data on servers in an on-demand media delivery system. The Office Action acknowledges that Thomas does not disclose a local account manager for modifying the local account data module, but relies on Krebs to remove the deficiencies of Thomas. Krebs teaches a video mail delivery system discloses storage of subscriber preferences at and required interaction with a network provider system. The Office Action cites column 6, lines 39-62, in support of stating that Krebs teaches or suggests " a local account manager for modifying the local account data module". Krebs teaches a video gateway directly controlled by an operator of the network provider local office POP 16.

Applicants' respectfully submit that the local office of the network provider and the operator of the network provider disclosed in Krebs does not teach or suggest a media

distribution device including a local account manager operative to modify the identification of the portion of the media content for delivery to the media presentation device without modification to the media content sent from the media delivery service provider. (See Krebs, col. 6, lines 39-62). Each scenario disclosed in Krebs requires interaction and modification at the network provider. (See Krebs, Fig. 4 and Fig. 5 with accompanying text). Thus, Krebs does not overcome the deficiencies of Thomas and Applicants' amended claim 1 is allowable over Thomas in view of Krebs.

Claim 16

Applicant's claimed invention as recited in amended claim 16 is drawn to a media distribution system operative to selectively deliver media content to a media presentation device. The media distribution system comprising, among other features, (1) a local account manager, local to the media delivery device, for modifying the local account data module where the media delivery device delivers to the media presentation device a portion of the media content stream modified by the local account manager and identified by the local account data module without modification to the media content stream transmitted by the media delivery service provider. A stated above, with respect to amended claim 1, the local office and operator taught in Krebs only contemplates modifying the data at the network provider location. (Figs. 4 and 5) Thus, Applicants' amended claim 16 is also allowable over Thomas in view of Krebs.

Claim 20

Applicant's claimed invention as recited in claim 20 is drawn to a method for filtering a media content stream in accordance with subscriber preferences. The method comprises, among other steps, (1) modifying the local stored account data module in accordance with the received subscriber preferences and (2) transmitting the local stored account data module to a central account management center.

In contrast, Thomas discloses that applications or features may be implemented locally on the user equipment or the user equipment may be utilized as a client processor in a client-server network. The application data may be stored on the server in the client-server scenario or on the user equipment if implemented on the user equipment. However, neither Thomas nor Krebs alone, nor in combination teach or suggests modifying the local stored

account data module and transmitting the local stored account data module to a central account management center. (see Thomas, page 3, para. 48). Thus, Applicants' claim 20 is also allowable over Thomas in view of Krebs.

Dependent Claims

At least because the recitation of claims 2-15 and 17-19 are not taught by Thomas or Krebs alone, or in combination, and claims 2-15 and 17-19 incorporate the features of allowable independent claims, claims 2-15 and 17-19 are also allowable over Thomas in view of Krebs.

Conclusion

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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